

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL ACTION
	:	
vs.	:	
	:	NO. 06-720
SHAFF RANDOLPH	:	

ORDER

AND NOW, this 19th day of July, 2013, upon consideration of defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Document No. 54, filed June 12, 2012), Government's Response in Opposition to Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Document No. 58, filed August 9, 2012), Defendant's Supplement to his Motion Under 28 U.S.C. §2255 to Vacate, Set Aside, or Correct Sentence (Document No. 58, filed November 15, 2012), and the related filings of the parties,¹ following a hearing on June 21, 2013, for the reasons set forth in the Memorandum dated July 19, 2013, **IT IS ORDERED** as follows:

1. Defendant's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody is **DENIED**;
2. A certificate of appealability will not issue for any of defendant's claims because reasonable jurists would not debate whether the motion states a valid claim of the denial of a constitutional right as required under 28 U.S.C. § 2253(c)(2), see Slack v. McDaniel, 529 U.S. 473, 484 (2000); and

¹ The related filings are: Government's Supplemental Response in Opposition to Defendant's Supplemental Motion Under 28 U.S.C. §2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Document No. 65, filed November 20, 2012), Government's Supplemental Response in Opposition to Defendant's Motion Under 28 U.S.C. §2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (Document No. 69, filed January 22, 2013), Defendant's Statement as to Each Issue Raised in Defendant's Motion Under 28 U.S.C. § 2255 on Which Defendant Seeks an Evidentiary Hearing and His Motion for an Extension of Time Within Which to File His Affidavit in Support of His 2255 Motion (Document No. 70, filed February 3, 2013), Letter from Defense Counsel dated February 11, 2013, and Affidavit of Shaff Randolph in Support of his Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 (Document No. 73, filed February 19, 2013).

3. The Clerk of Court shall **MARK** the case **CLOSED**.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.